

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

UNITED STATES OF AMERICA,)	Case No.: 1:11 CR 380
)	
Plaintiff)	
)	
v.)	JUDGE SOLOMON OLIVER, JR.
)	
ANTONIO BARRETT,)	ORDER ACCEPTING PLEA
)	AGREEMENT, JUDGMENT AND
Defendant)	REFERRAL TO U. S. PROBATION
)	<u>OFFICE</u>

This case is before the Court on a Report and Recommendation filed by United States Magistrate Judge Nancy A. Vecchiarelli, regarding the change of plea hearing of Antonio Barrett, which was referred to the Magistrate Judge with the consent of the parties.

On August 24, 2011, the government filed a seven-count Indictment, charging Defendant Barrett with Possession of Cocaine and Oxycodone with Intent to Distribute, in violation of Title 21 United States Code, Section 841(a)(1) and (b)(1)(C). Defendant Barrett was arraigned on September 6, 2011, and entered a plea of not guilty to Counts 1-7, before Magistrate Judge Kenneth S. McHargh. On December 21, 2012, Magistrate Judge Nancy A. Vecchiarelli, received Defendant Barrett's plea of guilty to Counts 1-6 of the Indictment, and issued a Report and Recommendation ("R&R"), concerning whether the plea should be accepted and a finding of guilty entered.

Neither party submitted objections to the Magistrate Judge's R&R in the ten days after it was issued.

On de novo review of the record, the Magistrate Judge's R&R is adopted. Defendant Barrett is found to be competent to enter a plea and to understand his constitutional rights. He is aware of the charges and of the consequences of entering a plea. There is an adequate factual basis for the plea. The Court finds the plea was entered knowingly, intelligently, and voluntarily. The plea agreement is approved.

Therefore, Defendant Barrett is adjudged guilty to Counts 1-6 of the Indictment, in violation of Title 21 United States Code, Section 841(a)(1) and (b)(1)(C), Possession of Cocaine and Oxycodone With Intent to Distribute. This matter was referred to the U. S. Probation Department for the completion of a pre-sentence investigation and report. Sentencing will be on March 20, 2012, at 11:00 a.m., in Courtroom 19-A, Carl B. Stokes United States Court House, 801 West Superior Avenue, Cleveland, Ohio.

IT IS SO ORDERED.

/s/SOLOMON OLIVER, JR.

CHIEF JUDGE

UNITED STATES DISTRICT COURT

March 13, 2012